



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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**VIA ECF and UPS Overnight**

Hon. Raymond J. Dearie  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Zaslavskiy, 17-CR-647 (RJD);  
SEC v. REcoin Group Foundation, LLC, et al., 17-CV-5725 (RJD)

Dear Judge Dearie:

We represent the Plaintiff, Securities and Exchange Commission (the “Commission”), in the above-referenced civil case, SEC v. REcoin Group Foundation, LLC, 17-CV-5725 (RJD) (the “Civil Case”). As the Court is aware, the Civil Case is now stayed pending the resolution of the criminal matter United States v. Zaslavskiy, 17-CR-647 (RJD) (the “Criminal Case”). The Commission understands that defense counsel in the Criminal Case will brief the legal question whether the assets Defendant offered and/or sold constitute “securities” within the scope of the federal securities laws, and that defense counsel in the Civil Case may seek leave to join in Defendant’s briefing on this question. Given the Commission’s status as the primary regulator of the federal securities laws, and the importance of this legal question to the Commission’s statutory mandate to enforce the federal securities laws, the Commission respectfully requests leave to file a brief in support of the United States and in opposition to Defendant’s motion. In the brief, the Commission does not intend to repeat arguments made by the United States but, rather, to assert the unique interests of the Commission in this area.

Respectfully submitted,

A handwritten signature of Jorge G. Tenreiro is placed above his name.

Jorge G. Tenreiro  
Counsel for the Commission

cc (via email):

Assistant United States Attorney Julia Nestor, Esq.  
Federal Public Defender Mildred Whalen, Esq.  
Richard Levin, Esq.